

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

JERRY A. PETERS, §  
TDCJ #1011746, §  
§  
Petitioner, §  
§  
v. § CIVIL ACTION NO. H-04-3826  
§  
§  
DOUG DRETKE, Director, §  
Texas Department of Criminal Justice - §  
Correctional Institutions Division, §  
§  
§  
Respondent. §

**ORDER**

State inmate Jerry A. Peters has filed a petition for federal habeas corpus relief under 28 U.S.C. § 2254. On May 25, 2005, the respondent answered with a motion for summary judgment. Pending before the Court is a motion by the petitioner for entry of a default judgment because, to date, he has not received any answer from the respondent. The motion includes a request for a hearing and an order directing the respondent to file a proper answer. A review of the record reflects that the respondent served his summary judgment motion on Peters at the address shown on the habeas corpus petition. That pleading lists Peters' current address as the Stevenson Unit. The recent motion filed by Peters shows that he has moved to the Ellis Unit, and the record shows that he has not provided formal notice of his changed address. Accordingly, the Court **ORDERS** as follows:

1. The petitioner's motion for a default judgment, a hearing, and an order directing the respondent to answer (Docket Entry No. 14) is **DENIED**.

2. To expedite this case, the Clerk shall promptly serve a copy of the summary judgment motion (Docket Entry No. 12) on the petitioner at his new Ellis Unit address by certified mail, return receipt requested. The petitioner shall file any reply within thirty days of this order.

The Clerk will provide copies of this order to the parties.

SIGNED at Houston, Texas on **June 15, 2005**.



Nancy F. Atlas  
Nancy F. Atlas  
United States District Judge